

1 BARRY J. PORTMAN
2 Federal Public Defender
3 LARA S. VINNARD
4 Assistant Federal Public Defender
5 160 West Santa Clara Street, Suite 575
6 San Jose, CA 95113
7 Telephone: (408) 291-7753

5 || Counsel for Defendant RODRIGUEZ-REYES

E-FILED - 1/17/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Monday, January 14, 2008, should be continued to January 28, 2008. The continuance is
20 requested to allow for additional investigation by both parties with respect to a venue issue, and
21 to allow time for defense counsel to discuss settlement with the defendant.

22 The parties further agree that time should be excluded under the Speedy Trial Act from
23 January 14, 2008, to January 28, 2008, because the defense and the government require time for
24 investigation and preparation, and the ends of justice outweigh the defendant's and the public's
25 need for a speedy trial.

STIPULATION TO CONTINUE
HEARING DATE; [] ORDER
No. CR 07-00013 RMW

1 Dated: 1/10/08

2 _____/s/
3 LARA S. VENNARD
4 Assistant Federal Public Defender

5 Dated: 1/11/08

6 _____/s/
7 JOSEPH FAZIOLI
8 Assistant United States Attorney

9 **ORDER**

10 The parties have jointly requested a continuance of the hearing set for January 14, 2008,
11 on grounds that the parties require additional time to investigate in respect to a venue issue and
12 for defense counsel to have additional time to discuss settlement with the defendant.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
14 presently set for January 14, 2008, be continued to January 28, 2008, at 9:00 a.m.

15 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
16 from January 14, 2008, to January 28, 2008, shall be excluded from the period of time within
17 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

18 Dated: **1/17/08**

19 
20 RONALD M. WHYTE
21 United States District Judge